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Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization
20–28 February 2018

Draft report

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I. Introduction

1. The Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization was convened in accordance with General Assembly resolution 72/118 and met at United Nations Headquarters from 20 to 28 February 2018.

2. In accordance with paragraph 5 of General Assembly resolution 50/52, the Special Committee was open to all States Members of the United Nations.

3. The Special Committee held three meetings: the 287th to 289th, on 20 and 28 February. The Working Group of the Whole, established at the 287th meeting, held three meetings, between 21 and 23 February.

4. The session was opened by Ruslan Varankov (Belarus) in his capacity as Chair of the previous session of the Special Committee.

5. At its 287th meeting, on 20 February, the Special Committee, bearing in mind the terms of the agreement regarding the election of officers reached at its session in 1981,[1] elected the following members of its Bureau:

Chair:
Omar Hilale (Morocco)

Vice-Chair:
İpek Zeytinoğlu Özkan (Turkey)
Héctor Enrique Celarie Landaverde (El Salvador)
Igor Bondiuk (Ukraine)

Rapporteur:
Luke Tang (Singapore)

[1] See A/36/33, para. 7.

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6. The Bureau of the Special Committee also served as the Bureau of the Working Group of the Whole.

7. The Director of the Codification Division of the Office of Legal Affairs acted as Secretary of the Special Committee. The Principal Legal Officer of the Division acted as Assistant Secretary of the Special Committee. The Division provided substantive services for the Special Committee and the Working Group.

8. At its 287th meeting, the Special Committee adopted the following agenda:

1. Opening of the session.
2. Election of officers.
3. Adoption of the agenda.
4. Organization of work.
5. Consideration of the questions referred to in General Assembly resolution 72/118, in accordance with the mandate of the Special Committee as set out in that resolution.
6. Adoption of the report.

9. General statements touching on all or several items were made at the 287th and 288th meetings. Their substance is reflected in the relevant sections of the present report.

10. With regard to the question of the maintenance of international peace and security, the Special Committee had before it all the related reports of the Secretary-General,[2] including the most recent report, entitled "Implementation of the provisions of the Charter of the United Nations related to assistance to third States affected by the application of sanctions",[3] and the 1998 report on that topic, containing a summary of the deliberations and main findings of the ad hoc expert group meeting convened pursuant to paragraph 4 of General Assembly resolution 52/162.[4] The Special Committee also had before it Assembly resolution 64/115 and the annex thereto, entitled "Introduction and implementation of sanctions imposed by the United Nations".

11. The Special Committee also had before it a revised proposal submitted at the 1998 session by Libya with a view to strengthening the role of the United Nations in the maintenance of international peace and security;[5] a further revised version, submitted at the 2014 session,[6] of the working paper submitted by Belarus and the Russian Federation at the 2005 session on an advisory opinion to be requested from the International Court of Justice as to the legal consequences of the resort to the use of force by States without prior authorization by the Security Council, except in the exercise of the right to self-defence; a working paper submitted by Cuba on the strengthening of the role of the Organization and enhancing its effectiveness: adoption of recommendations;[7] and a revised working paper submitted by Ghana at the current session on strengthening the relationship and cooperation between the

[2] A/48/573-S/26705, A/49/356, A/50/60-S/1995/1, A/50/361, A/50/423, A/51/317, A/52/308, A/53/312, A/54/383, A/54/383/Add.1, A/55/295, A/55/295/Add.1, A/56/303, A/57/165, A/57/165/Add.1, A/58/346, A/59/334, A/60/320, A/61/304, A/62/206, A/62/206/Corr.1, A/63/224, A/64/225, A/65/217, A/66/213, A/67/190, A/68/226, A/69/119 and A/70/119.

[3] A/72/136.

[4] A/53/312.

[5] See A/53/33, para. 98.

[6] See A/69/33, para. 37.

[7] A/67/33, annex.

United Nations and regional arrangements or agencies in the peaceful settlement of disputes.[8,9]

12. With regard to the question of the peaceful settlement of disputes, the Special Committee undertook the first annual thematic debate on the means for the settlement of disputes, in accordance with Chapter VI of the Charter, including in particular those contained in Article 33 thereof, and consistent with the Manila Declaration on the Peaceful Settlement of International Disputes. During that debate, the discussions were focused on the subtopic "Exchange of information on State practices regarding the use of negotiation and enquiry". The Special Committee also had before it a proposal, revised in 2014 by the Russian Federation, recommending that the Secretariat be requested to establish a website dedicated to the peaceful settlement of disputes between States and to update the *Handbook on the Peaceful Settlement of Disputes between States*.[10]

13. At its 289th meeting, on 28 February, the Special Committee adopted its report on its 2018 session.

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[8] A/AC.182/L.148.

[9] Prior to the opening of the 2018 session, the Bolivarian Republic of Venezuela communicated its decision to withdraw the working paper (A/66/33, annex) that it had submitted during the 2011 session, containing a further revised version of the proposal submitted by the same delegation at the 2010 session, entitled "Open-ended working group to study the proper implementation of the Charter of the United Nations with respect to the functional relationship of its organs".

[10] See A/69/33, para. 52.